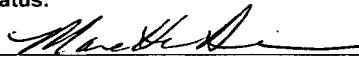


FORM PTO-1390 (Modified) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE (REV. 2-2005)		ATTORNEY'S DOCKET NUMBER KPO-SUN-P4/SN-89/US
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) to be assigned <b>10/552525</b>
INTERNATIONAL APPLICATION NO. PCT/JP2004/005116	INTERNATIONAL FILING DATE April 9, 2004	PRIORITY DATE CLAIMED April 11, 2003
TITLE OF INVENTION <b>PROCESS FOR PRODUCING FOOD AND BEVERAGE PRODUCTS FROM MALT SPROUTS</b> (title amended; formerly Process for Producing Food or Drink from Malt Root)		
APPLICANT(S) FOR DO/EO/US <b>KONDO, Katsu ; NAGAO, Koji; YOKOO, Yoshiaki</b>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.</li> <li>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))             <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input checked="" type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))             <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> <li>11. <input type="checkbox"/> A copy of the International Preliminary Examination Report (PCT/IPEA/409).</li> <li>12. <input checked="" type="checkbox"/> A copy of the International Search Report (PCT/ISA/210).</li> </ol>		
Items 13 to 23 below concern document(s) or information included:		
<ol style="list-style-type: none"> <li>13. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>14. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>15. <input checked="" type="checkbox"/> A <b>FIRST</b> preliminary amendment.</li> <li>16. <input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.</li> <li>17. <input type="checkbox"/> A substitute specification.</li> <li>18. <input checked="" type="checkbox"/> A power of attorney and/or change of address letter. (<i>with Declaration</i>)</li> <li>19. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.</li> <li>20. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</li> <li>21. <input type="checkbox"/> A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).</li> <li>22. <input checked="" type="checkbox"/> Express Mail Label No. EV485974142US</li> <li>23. <input checked="" type="checkbox"/> Other items or information:</li> </ol>		
Certified Translation of Priority Application JP2003-108267; PCT/IB/301; PCT/IB/304; PCT/IB/308; PCT/IB/311 with International Publication No. WO 2004/084871 A1; PCT/ISA/210		

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>10/552525</b> to be assigned		INTERNATIONAL APPLICATION NO. PCT/JP2004/005116		ATTORNEY'S DOCKET NUMBER KPO-SUN-P4/SN-89/US	
				CALCULATIONS	PTO USE
The following fees are submitted:					
24. <input checked="" type="checkbox"/> Basic national fee .....				\$300	
25. <input checked="" type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4). ....				\$100	\$200.00
All other situations. ....				\$200	
26. <input checked="" type="checkbox"/> Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority .....				\$100	
International Search Report prepared and provided to the Office .....				\$400	
All other situations. ....				\$500	\$400.00
<b>TOTAL OF 24, 25 and 26 =</b>				\$900.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole)		RATE	
30 - 100 =	0 /50 =	0		x \$250.00	\$0.00
Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	36 - 20 =	16	x	\$50.00	\$800.00
Independent claims	4 - 3 =	1	x	\$200.00	\$200.00
MULTIPLE DEPENDENT CLAIMS (if applicable) <input checked="" type="checkbox"/>				+ \$360.00	\$360.00
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$2,260.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$0.00	
<b>SUBTOTAL =</b>				\$2,260.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$0.00	
<b>TOTAL NATIONAL FEE =</b>				\$2,260.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +				\$0.00	
<b>TOTAL FEES ENCLOSED =</b>				\$2,260.00	
				Amount to be	\$
				Amount to be	\$
a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>\$2,260.00</u> to cover the above fees is enclosed.					
b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees. A duplicate copy of this sheet is enclosed.					
c. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>50-3195</u> . A duplicate copy of this sheet is enclosed.					
d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.					
SEND ALL CORRESPONDENCE TO: Customer No. 44702 Manette Dennis Ostrager Chong Flaherty & Broitman PC 250 Park Avenue, Suite 825 New York, New York 10177-0899 212-861-0600 ext. 101; mdennis@ocfblaw.com					
 SIGNATURE <b>Manette Dennis</b> NAME <b>30,623</b> REGISTRATION NUMBER					

## CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)

Applicant(s): KONDO, Katsu et al.

Docket No.

KPO-SUN-P4/SN-89/US

Application No. to be assigned	Filing Date October 11, 2005	Examiner to be assigned	Customer No. <b>10/352525</b>	Group Art Unit to be assigned
-----------------------------------	---------------------------------	----------------------------	----------------------------------	----------------------------------

Invention: **PROCESS FOR PRODUCING FOOD AND BEVERAGE PRODUCTS FROM MALT SPROUTS**  
(title amended; formerly Process for Producing Food or Drink from Malt Root)

I hereby certify that the following correspondence:

**Transmittal Letter to the United States Designated/Elected Office Concerning a Filing under 35 U.S.C. 371**

(Identify type of correspondence)

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

October 11, 2005

(Date)

Manette Dennis

(Typed or Printed Name of Person Mailing Correspondence)



(Signature of Person Mailing Correspondence)

EV485974142US

("Express Mail" Mailing Label Number)

Note: Each paper must have its own certificate of mailing.